

**CHAPTER 6**

**THE INSTITUTIONALIZATION OF  
REFUSAL AND THE FOUNDING OF THE BUNDESWEHR**

Many of the Germans with whom I spoke during my fieldwork (1999–2002) were in their late thirties, men roughly my own age, who had done their military service (or refused to serve in the military and did civilian service instead) in the early 80s. This was during the first Reagan administration in the United States and the beginning of the Kohl-CDU dominance in the old Federal Republic. It is also the period during which I was stationed in Germany as a soldier in the United States Army. My own memories of the time, of serving in a nuclear missile unit and seeing the crowds of protestors outside the gates, inevitably color my reception of their stories. Prominent in my memories of the time are late-night launch drills during which we practiced raining thermonuclear devastation down on Eastern Europe and imagined how short a time we would live after launching our missiles. We talked about what we would do in the brief interval before the inevitable retaliation.

My experiences, of course, were in an all-volunteer army and I, like all of my colleagues, had signed up for service in a missile unit. My reason, and that of most of my colleagues, was economic. I was looking for money for college and serving in a part of the Army designated “combat arms” paid a significant bonus. My less than 20–20 vision disqualified me from the infantry and my high test scores made me a “natural” candidate for nuclear service.

All of the soldiers in my unit were investigated and given a security clearance, as the phrase went, of “the appropriate level.” We were considered reliable. Though a certain amount of thought about nuclear Armageddon is probably inevitable in a missile unit, what strikes me in retrospect is how little I thought about my part at the time. It was really not until an unannounced drill on a lovely Autumn day in 1983, when Cold War tensions were running high, that I had occasion to think about refusal.

It happened when we were “on pad,” where our missiles were mated to live nuclear warheads and sat ready, twenty-four hours a day, for launch. My job at the time was launcher operator. This meant that I stood at the side of the launcher wearing a headset and pushed various buttons in response to messages on an integrated LED display, upon orders from higher up. It was a fine afternoon when the klaxon blew, signaling us to hurry to our missiles and begin a countdown. Such drills were common. They happened every day or two while we were on pad. This one, however, had a different feel to it. The orders from our platoon leader, passed along via the headset, were sharper than usual, tenser.

Now, to arm a nuclear warhead prior to launch requires the use of a very secure code. As launcher operators we did not have access to these codes, but at a certain point in the launch countdown an LED message would come up on our screens prompting us to “press enter” in order to have this code entered by our superiors. I and my fellow launcher operators would dutifully speak the words “enable PAL press enter” into our microphone.

Inevitably the response from the higher ups would be, “press option.” That is, instead of pressing enter to arm the warhead, press the option button to continue the practice countdown *without* arming the warhead. But this time we were told to press enter.

There were three missiles for each platoon, and at each launcher stood an operator and a non-commissioned officer assigned to supervise him. The communication channel is an open one, such that all of these operators and supervisors can hear the progress of the other countdowns. Three curious things happened when I was told to enable the mode for arming the warhead. First, the launcher operators all simultaneously took a step back and looked at each other; it was obvious that we were startled out of our wits. Second, all three of us asked for a confirmation of the order to press enter. “Say again.” And third, all three of the supervising NCOs frantically began to ask us what was wrong—demonstrating that they had not, in fact, been following the count as closely as they were supposed to or that they really didn’t understand the significance of what had just happened.

After confirming the order to press enter, to enable the possibility of arming the nuclear warheads with the security code back at command and control, I pressed enter. So did my colleagues.

Since the world was not, in fact, blown to bits on that fine October afternoon, is no more suspense to my story. The warheads never were armed. The missiles never were launched. It turned out that, unbeknownst to us, there was an evaluation team on site. To the best of my understanding they did not

specifically intend to test our responses to “going live”—but by asking the command and control people to run a certain diagnostic, without informing the launcher operators and other personnel, the effect was as if they were testing our willingness to launch. The answer, in that moment, was yes. I would have done it; I did do it. As did my colleagues. I doubt that anyone who had been trained and screened for the positions we were in would have refused. We had some sense that it *had to be* some kind of drill, but for all we *knew*, we were about to start World War III.

Another set of experiences from the same period also sticks in my memory. The deployment of the Pershing II intermediate range nuclear missiles was very controversial in Germany. It sparked large scale anti-nuclear peace protests and re-invigorated the European peace movement. As a soldier in a nuclear unit, in fact the very first Pershing II unit in Germany, my primary interaction with German peace protestors was as a guard. On guard duty my mission was to prevent protestors, or anyone else, from getting near a missile (whether or not it happened to have a nuclear warhead attached).

During the course of many interactions with these protestors, sometimes thousands of them at a time, I had another set of encounters with refusal, or rather with its failure. On the one hand, the command structure in my unit made it clear to us that to every extent possible we were to let the German police deal with German protestors. On the other hand, we were routinely assigned crowd control and defensive duties for which we were neither trained nor equipped. One particularly tense day, returning from the

field, cold, wet, hungry and exhausted, we encountered several thousand protestors blocking our route. The Polizei were not yet on the scene and the protestors were attempting to barricade the road—all in all, perhaps not the wisest choice of tactics. Fortunately for them and for us, we didn't have any warheads with us and therefore had not been issued live ammunition.

As we pushed our way through the throng of protestors, many of the activists attempted to infiltrate the convoy and climb up onto the erector-launchers (mounted on flat-bed trailers). Several of my fellow soldiers took it upon themselves to go beyond the requirements of duty. They pursued protestors out across the fields and assaulted them. One slight, red-headed nineteen-year-old from Paris, Texas bent the barrel of his weapon over the head of a young woman in her mid-teens. She had been standing, holding a sign and screaming, a good thirty feet from our missile.

Even at the time I wondered about this, about the lack of institutional support for finding less violent ways to interact with activists who were, after-all, exercising their democratic rights. Our brigade public relations officer made the appropriate noises to the German media, supporting the right of free speech and peaceful protest. Our orders, however, though not quite “shoot to kill,” did little to support peaceful interaction with the protesters, and our training was completely inadequate to the situation described above. Though we were not encouraged to act aggressively the institutional context was clear: our training was to follow orders without thinking. The constant refrain of our non-commissioned officers was “you are not paid to think.”

The possibility of going to the unit commander, or working the chain of command, and saying, “maybe it isn’t such a good idea to try to muscle this convey of missiles through this close-packed crowd of protestors,” never even occurred to me. Apparently it didn’t occur to anyone else, either, even though the necessity for such communication must have been clear to anyone who wasn’t more concerned with demonstrating manly resolve than preserving the peace and keeping everyone, soldiers and civilians alike, safe. Moreover, there was a presumption at the time of this incident, (the early days of Pershing II), that the missiles themselves were reasonably stable and unlikely to combust. This assumption proved to be false when several American soldiers were burned alive by solid rocket propellant a few months later after their missile was struck by an aluminum tent pole (in the official account), or (as many of us believe) a round from a sniper rifle fired from several hundred yards away.

We were very lucky that day.

In understanding the stories of my informants, and the importance that refusal seems to have in Germany with respect to all things military, these memories come back to me. I remind myself that the stories I heard from my informants, though data for me, were memories for them. It also strikes me, as I remember my own interactions with military authority, that the institutional culture of an organization will go a long way toward determining what kinds of decisions people will make when faced with morally difficult choices. I will now turn my attention to the founding of the Bundeswehr as an institution.

## Wehrdienstverweigerung

The German word for what in English is referred to as a conscientious objector is *Wehrdienstverweigerer* (“defense service refuser”) or *Kriegsdienstverweigerer* (“war service refuser”), often abbreviated as KDV. Conscription is *Wehrpflicht* (defense duty) and someone doing service as a conscript is a *Wehrdienstleister*. I hesitate to use the word “draftee” because the social and historical context of mandatory military service is so different in contemporary Germany than those associated with the idea of a “draft” in the United States. This is not to say there are no commonalities, there are many, but oftentimes minor differences in context can lead to major misunderstandings. In order to set the stage for an understanding of both military service and refusal in post-Cold War Germany, I will start with an historical exploration of German rearmament after World War II, the founding of the Bundeswehr, and the reintroduction of conscription.

In May 1949, a full six years before the re-founding of the German military, at a time when it was unclear if Germany would ever be allowed to rearm, the Basic Law (*Grundgesetz*) of the old Federal Republic guaranteed a right to conscientious objection. The relevant portion is Article 4, Section 3: “Niemand darf gegen sein Gewissen zum Kriegsdienst mit der Waffe gezwungen werden. Das Nähere regelt ein Bundesgesetz.” In the English translation provided on the website of the German government: “No person shall be compelled against his conscience to render military service involving the use of arms. Details shall be regulated by a federal law.” Not a precise

translation, since “Kriegsdienst” literally means “war service” which is theoretically slightly different than “military service.” The wording did lead to some contention in the early years of conscription, until a court ruled that the right of conscience established in the Grundgesetz extended to mandatory service in the peacetime military (Kuhlmann and Lippert 1993, 98).

Thus the Grundgesetz held the refusal to serve in the military to be a basic right, even though it contained no explicit provision for a military force, a defense ministry, a military command structure or military law. Yet, at the same time that conscientious objection was inscribed in the German Basic Law there was widespread consensus that if there had to be an army, it had best include a strong conscript component. From the point when the Adenauer administration out-maneuvered the opposition Social Democrats and the *ohne mich* movement, setting the Federal Republic on the road to rearmament, the *right* to conscientious objection and conscription became linked in German political culture and “both were always regarded as salient ingredients of the new, democratic Germany” (Bredow 1992, 290).

The link is not without its internal paradoxes. Democracy in the liberal tradition means something more than majority rule—it means the guarantee of the rights of minorities, and in particular that smallest of all minorities, the individual, even when those rights are inconvenient for the majority. Conscription, by its very nature, takes away the most basic autonomy of the individual. Conscription into the armed forces dictates, under threat of legal punishment, where the soldier will live, the work he will do, the manner of his

comportment toward “superiors,” etc. This involuntary induction into a total institution is exactly what Borchert and the writers of the Young Generation reacted to so strongly, when the theretofore previously impenetrable armor of military prestige was blasted away by the disaster of the Second World War. It is this theft of personal autonomy that many young soldiers, whether draftees or volunteers, find hard to endure. In the U.S. Army of the mid-1980s, this loss of personal autonomy was often labeled “communist”. Amongst the more critical of the Bundeswehr conscripts whom I interviewed, the lack of freedom was referred to, perhaps inevitably, as “*Faschismus*” (“Fascism”).

Nor does a right to conscientious objection, even one written into the constitution, obviate the two-fold attack on the liberal idea of personhood and democracy embodied in conscription. In the first place, quite apart from the right to insist on pacifist beliefs, involuntary service impinges on the most basic right of the individual to go his own way, chose his own work and make his own decisions regarding the ordinary business of daily life. This impingement is nowhere considered a valid grounds for refusal. In the second place, insofar as the state claims the right to conscription, it places itself above the citizens as the arbiter of life and death.<sup>1</sup>

Conscription, of course, is not unique to post-war Germany. The majority of post-World War II states have had a draft, though the tendency in the last thirty years, following the lead of the United States, has been toward

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<sup>1</sup> The sacred qualities of the nation-state are bound up with its monopolization of legitimate violence and particularly with its holding the right to take life, as in the imposition of the death penalty as well as in connection with the use of military force. See chapter 2 above for a discussion of the connection between violence and the sacred.

an all-volunteer armed forces.<sup>2</sup> As Habermas puts it in one of his essays: “General military duty has been the flip side of citizens’ rights ever since the French Revolution; the willingness to fight and die for the fatherland is supposed to prove both national consciousness and republican consensus” (1997, 173).<sup>3</sup> In post-World War II Germany, however, universal conscription has been considered to be far more than a necessary evil. As Bundespräsident Theodor Heuss put it in a speech to the Bundestag, it is “a legitimate child of democracy” (Winter 1983, 186).

### **The Past as Present**

Given the rather obvious tension between compulsory military service and a democratic society grounded in the rights of the individual, the question is this: how did the institution of conscription come to be considered essential to democracy? In the German case, the link is considered to be a negative one, grounded in reaction to the history of the German military. Specifically, conscription has been considered a kind of inoculation against the development of the military as a “state within a state” (*Staat im Staat*). The reference is to German armed forces of the past wherein the military became so disconnected from the official democratic values of the larger society that it lacked any real investment in its values and embraced National Socialism as an

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<sup>2</sup> The “all-volunteer” military is sometimes referred to as the “economic draft”, meaning that for many young men, and for a growing number of young women, enlistment in the armed forces is the best economic opportunity available to them.

<sup>3</sup> See chapter 2 for a discussion of the link of the nation, liberal democratic forms and the war system.

ally against revolution from the left.

The particular source of this fear is an understanding of German (and particularly Prussian) armed forces of the past and their ominous preference for the rule of conservative, nationalist factions. In the words of historian Craig Gordon the Prussian army was

...the main pillar of absolutism in Prussia and in the German Empire that Prussia founded in 1871 and the chief barrier to effective parliamentary government and progress toward democracy. If it can be argued that modern German history was a prolonged constitutional struggle between conservative and liberal forces, it was clear that in the critical moments in that process, it was the army that played the decisive role, throwing its weight in every instance against the cause of popular sovereignty” (Craig 1982, 238).

Nor was the Prussian military simply separate. It saw itself, and was widely seen as, the elite of the German nation. “Die insbesondere in bürgerlichen Kreisen weit verbreitete Bewunderung für das Offizierskorps ging soweit, dass die Erwerbung eines Reserveoffizierspatents zu den höchsten gesellschaftlichen Weihen gehörte.” (“Particularly in bourgeois circles admiration for the officer corps was so strong that attainment of a reserve officer’s commission granted admission to the highest social circles” (Förster 1999, 23). Or as a rather standard pre-1945 joke went, “any German mayor would snap to attention if addressed by an officer” (Nelson 1972, 19).

From the post-Cold War perspective the swaggering, arrogant, Prussian officer—like the officious, inflexible, unimaginative Prussian bureaucrat (*Beamter*)—carries a grotesque mythological weight, like a figure out of Kafka. Both have become stock comic figures. Separated from times

present by the far more menacing figures of the Waffen-SS and the Schreibtischtäter of the Nazi period, and with large parts of old Prussia now ceded to Poland, there would seem to be little left to fear. Yet at least for the officer corps of the Bundeswehr, *concern* with the development of an elite Staat im Staat mentality in the military is still current.

In a lengthy interview with me in November 2000, *Oberst* (Colonel) Jürgen Weidemaier, then commander of the Zentrum Innere Führung, Bereich 5 (Center for Innere Führung, Section 5) located in Strausberg—a subsidiary institution of the main Center in Koblenz—spoke to me about the principles of organization of the Bundeswehr. In response to my question on the matter, he said, “Die Bundeswehr ist *kein* Staat im Staat” (“The Bundeswehr is *not* a state within a state.”) “Soldaten sind *Staatsbürger* zuerst.” (“Soldiers are *citizens* first.”) The emphases were eloquent, and if he, like many of the Bundeswehr officers of all ranks with whom I spoke, tended to quote official Ministry of Defense literature when questioned, his commitment to the principles he expressed seemed genuine.

He wrote in a conference paper for a meeting of the Organization for Security and Co-operation in Europe (OSCE) that he was kind enough to give to me: “By committing themselves to a conscript army, government and parliament intended to emphasize that one of the self evident obligations of all citizens is the duty to defend the state against any attack from outside. In addition, conscription contributes to a permanent exchange with society and is thus regarded as an essential element for the integration of the armed forces

into state and society” (Weidemaier n.d., 2, original in English).

Oberst Weidemaier’s rhetoric is virtually identical to that which has been used to describe and defend the political orientation and principles of the Bundeswehr since its founding. These principles, centered on the idea of citizen-soldiers (*Staatsbürger in Uniform*), informed by the doctrine of individual moral responsibility, civic integration and priority of conscience, collectively referred to as *Innere Führung* amount to a double *doctrine of refusal*.<sup>4</sup>

On the one hand, the reform called for a *refusal of tradition* that sought to break not only with the immediate Wehrmacht past, but with the very idea of *Traditionspflege* (preservation of tradition) so associated with German armed forces of the past (Abenheim 1988, 28–30; Demeter 1962, 135–141). On the other hand, the *duty to refuse* was integral to the idea of *Innere Führung*. Thus when Elmar Branstetter, the legal expert of the administrative group responsible for inventing the new military (the so-called Dienststelle Blank), briefed the members of the Security Committee of the Bundestag, he told them that *Kadavergehorsam* (blind obedience) would play no part in the new military. Moreover, he said, that it was a soldier’s duty to disobey orders that

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<sup>4</sup> *Innere Führung* is another German term that proves difficult to translate with any economy. Most authors, including Large (1996) and Abenheim (1988) offer footnotes stating as much and chose to use the German expression whenever possible. The difficulty of translation comes not least of all from the controversy that has surrounded the phrase, and the attitudes it is supposed to represent, since its inception. In short, it is a piece of contested military jargon that refers to the appropriate attitude of soldiers in the Bundeswehr, emphasizing self-directed, ethically informed action and “normalized” relationships between officers and common soldiers.

violated international law or undermined fundamental human rights.<sup>5</sup>

The immediate context of this proposal, as noted by parliamentarians present in the session, was the Nuremberg trials. These trials had established that, whatever the difficulties faced by a soldier in the field, it was ultimately and unavoidably his responsibility to judge the legality, moral appropriateness and military necessity of his orders. In the aftermath of the Nuremberg trials, and in the proposals of the Bundeswehr reformers, no soldier would ever again be able to fall back on a legal defense of “just following orders.”

Theodore Blank, the head of the Dienststelle, was present at this same session and echoed this view. He told the parliamentarians that soldiers, like every citizen in a democracy, are responsible for their actions and would be held accountable for their legality. Faced with the objection that a soldier in wartime might face summary execution for failing to carry out an order, Blank countered that the first requirement of duty is obedience to a “higher law” regardless of consequences.<sup>6</sup>

Although the idea that a soldier only has the responsibility to obey “lawful orders” was not radically new, the duty to *disobey*—to refuse to obey orders that conflicted not just with the national, constitutional order but with notions of international law and human rights—was both new and unsettling. For someone who has never served in a traditional military, including that of the United States, it is hard to convey just how bizarre this idea is from the

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<sup>5</sup> Stenographische Protokolle, Sonderausschuss zur Mitberatung der EVG Vertrages, PA, 8. Sitzung, 128-31 (as cited in Large 1996, 195).

<sup>6</sup> *ibid*, 135 (as cited in Large 1996, 195).

military perspective—even fifty years later. The vast bulk of the professional military men I knew as a soldier in the United States Army were a far cry from being either the vainglorious martinets or fanatic ideologues of military caricature. I have no doubt, however, that the vast majority would uphold the traditional principles of obedience, hierarchy, toughening and the basic separation of the military from society as *necessary* to the coherence and function of the army—without reflecting on the function of such principles. Arguably, in an era when technological advancement and technical proficiency has become more important to success in war than toughness and discipline, such traditions have become at least somewhat anachronistic—supporting not military success, but soldierly identity.<sup>7</sup>

Whether or not contemporary American officers generally support a kind of traditional militarism, what is certain is that such traditions *were* embedded in the training and daily life of soldiers in the Imperial Army of the Kaiserreich, the Reichswehr and the Wehrmacht—the three German armies that immediately preceded the Bundeswehr (e.g., Abenheim 1988; Craig 1964;

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<sup>7</sup> The preservation of a good bit of military tradition, particular traditions around “toughness” and “separation” have everything to do with masculinity. In 1980, for example, the commandant of the Marine Corps testified to Congress that if women were allowed a role in combat it would be a devastating psychological blow to men who like to conceive of themselves as defending women. “When you get right down to it,” he said, “you’ve got to protect the manliness of war” (Enloe 1983, 154). And the manliness of war has to do with far more than the inclusion of women in combat roles—it also demands a morbid conditioning in misery. To the extent that such conditioning is no longer necessary to the war system per se, but a prop to military masculine identity, it will quite likely be swept aside by capitalist processes that demand increasing specialization. Tradition is a source of resistance to these processes—and tradition is probably strengthened in militaries, such as that of the United States, with a high profile, neo-imperialist mission—but the increasing presence of women in the military, even in combat roles, shows that it is breaking down. In this context it is interesting to note that the second face of *Innere Führung*, beyond the idea of citizen soldiers, is a normalization of soldierly life to make it more like employee-like.

Demeter 1962; Frevert 1991; Messerschmidt 1975). The conservative resistance to the Staatsbürger in Uniform and Innere Führung reforms, was focused in the veterans groups. The groups complained that the “überreformer” in the Dienststelle were endangering the distinctiveness of the military profession. Otto Mosbach of the umbrella group Verband deutscher Soldaten (VdS), for example, wrote that the Bonn government was “giving young people the impression that military service was just another job, complete with an eight-hour day.”<sup>8</sup>

This, of course, was exactly what the reformers intended. In fact, when a group of experts met in September 1954 at Bad Tönningstein to lay the groundwork for the *Personalgutachterausschuss* or PGA (Personnel Screening Board—the group responsible for selecting officers for the new military), the major topic of discussion was Innere Führung—and this discussion emphasized the similarities between what Baudissin was proposing and modern management theory. Soldiers, in the new model, were to be treated like employees and officers like managers, called upon to maximize efficiency (Genschel 1972, 208).

Thus the intended reforms were multifaceted. They were, in the first place, intended to normalize military life. The daily life of soldiers was to be conducted much as civilian economic life, without the constant drills, inspections, and petty exercises of arbitrary authority common to the armed forces in most societies. In the second place, the reforms were meant to

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<sup>8</sup> Mosbach to Deutsche Press-Agentur, 22 June 1953, BA-MA, BW 9/757 (as cited in Large 1996, 190).

create a military “without pathos”—one in which the concepts like “duty” and “honor” were redefined and effectively stripped of the trappings of the sacred. Even though the profession of arms necessarily brings the soldier into contact with the extraordinary prospect of killing and facing death, duty was not to be so much drilled into him, but something that he understood as important to the defense of a society in which he himself lived. And in the third place, soldiers in the new army would be expected to accept full responsibility for their actions—a test of which was their ability to understand and respect the decision of the 20th of July conspirators (Abenheim 1988, 140–145).

As extensive as the Bundeswehr reforms were, however—and to be clear, many were actually instituted only years after the founding—their impact went beyond what was intended. Focused on the problem of creating a military structure that would both be appropriate to a democratic state and prevent a return to the nationalistic militarism of old, the Bundeswehr reforms both reflected and helped to create a significant shift in German masculinity.

The vehemence of the opposition to the reforms—both before the Bundeswehr was established and in the new officer corps after its founding—speaks to the emotional attachment to the old ways. Veterans of previous German militaries, who numbered in the millions, had been trained in the often brutal traditions of military manhood. These traditional military values were central to the self-definition of military men, i.e. to their identity as not just any kind of men, but men of honor (*Ehrenmänner*). In an elegiac tract written in the immediate aftermath of the Second World War, prominent German historian

Gerhard Ritter defines these values, those of “Echtes Soldatentum,” (“real soldiers”) as including four essentials: “*Gehorsam, männliche Selbstbeherrschung, Willensstärke und ritterliche Tapferkeit*” (“Obedience, manly self-control, strength of will and knightly valor.” And it was thought that only those soldiers possessed of these values would be able to “manfully meet the challenge” of war (“...*männlich ins Auge sehen*” [Ritter 1947, 26]).

Baudissin’s view could not be more antithetical. In a radio address broadcast November 8, 1954, he stated, “A secularized ‘soldier’s honor’ that enshrines obedience, duty, hardihood, and readiness for action as unquestioned and absolute principles, leaves the soldier blind and helpless against the whims of criminals and charlatans” (as cited in Large 1996, 182). Yet in downplaying the cult of the military-masculine tradition in favor of politically informed self-consciousness and *efficiency*—in the spirit of the emergent theories of labor-management relations—he and the other reformers were not just asking a lot from soldiers and officers, they were asking them to give up the distinguished status of an elite estate (*Stand*) grounded in a particularly difficult and disciplined form of masculinity. Central to this masculine identity was the necessity of its difficulty—its *hardness*—and its glorification of sacrifice (*Opfer*). The soldier was called upon to be willing not only to kill, but to risk his life and even die to defend his country. This was a sacred mission, the importance of which was deemed to justify the subjection of the soldier to constant training and a strict code of unquestioning obedience—so that, in the heat of battle, he would do as ordered.

Verweigerung became integral to a new, shifted self-image, and much desired social image, of the Bundeswehr. Though refusal contradicts the tradition of obedience, it nonetheless supports a masculine self-image as strong-willed, independent and courageous. The increased valuation of refusal indicates an important shift in masculine cum military identity. Obedience, of course, is not thrown completely out the window in its everyday sense, but in the new order the connection to the sacred comes less from obedience unto death and more from the manly will to stand firm and judge for oneself—all the more important in a society about which jokes are still routinely told about a slavish penchant for rules and blind obedience.<sup>9</sup>

The historical precedent for the rising importance of refusal, of course, is the Reformation and Protestantism, both of which Germans claim as their own. Pietism in particular calls on its adherents to practice conscience-driven disobedience, construed as *true obedience* to a higher duty. Baudissin himself was influenced by his experiences as a volunteer for the Evangelische Kirche in Deutschland (EKD), the Evangelical Church of Germany. In the immediate post-war period he was involved with a EKD-sponsored labor relations counseling program. As part of this program he worked as a lay counselor in

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<sup>9</sup> One such joke I have heard on numerous occasions, usually told in the first person but with something of the air of an urban legend, goes like this: While crossing the street in a quiet part of town I stopped at the curb and carefully looked both ways, then proceeded to cross. A German citizen immediately stopped me, pointing out vehemently that the walk light was still red. I responded that there were no cars coming. His livid reaction was to say “Regeln sind Regeln!” (Rules are rules!). I heard this story once from an anthropologist, once from a British ex-patriot living in Berlin and read it in a popular ersatz ethnography of German culture. I was doubtful until something similar happened to me. Most Germans to whom I relate the story, however, respond dismissively, accusing me of spreading stereotypes. They don’t think it to be the slightest bit amusing.

the mining industry where he began to develop the management ideas that would become the working core of Innere Führung. As a result of his experiences with the EKD, he also became convinced “of the need to infuse all public institutions, including the military, with Christian ethical principles” (Large 1996, 179).

The context here is not just the memory of the vulnerability of soldiers to the allure of National Socialism, but the supposed attraction of communism, particularly for Germans, given the division of Germany and the proximity of the East. Nor were these worries entirely unsupported by experience. The so-called “John Affair” in which Otto John, a well-known survivor of the July 20, 1944 plot against Hitler, defected to the East and thereby cast doubt on the wisdom of honoring, or even trusting the resisters. John’s defection was particularly inauspicious in that he publicly accused the Bonn government of disgracing the legacy of the Widerstand. His criticism was directed particularly against the Amt Blank (which would become the Ministry of Defense) and the Gehlen Organization (which would become the Bundesnachrichtendienst, or Federal Intelligence Agency, equivalent to the CIA). Nor had John been shut out of the leadership in the West, as so many of the resisters had. He was, ironically, head of the new Bundesamt für Verfassungsschutz, or Federal Domestic Intelligence Agency, roughly equivalent to the FBI (Schwarz 1981, 236–39). As reported in the December 21, 1954 issue of *Der Spiegel* magazine, Reinhard Gehlen, a long-time opponent and rival of John’s who would become head of the Bundesnachrichtendienst, echoed the feelings of

many when he said, “Once a traitor, always a traitor” (11).

In this context, the reformers felt the need to inculcate principles that would both provide an ideological grounding for acting on principle and counteract the attractiveness of communism. They chose the values of Christian chivalry. Here is an excerpt from a training manual for Innere Führung (my translation):

Concerning Western tradition—it can refer to nothing other than the Christian tradition. Those who want to deny this, even in the face of the treat of Soviet materialism, deny Europe itself. But whoever affirms the Christian tradition, regardless of denominational profession, also affirms the archetype of the Western soldier: the “*Miles Christianus*,” the knight (Bundesministerium der Verteidigung 1957, 76, cited in Bald 1999, 61).

Ironies abound here, of course, in that the *Miles Christianus* (Christian Soldier) is actually a fairly late doctrine promulgated by the Catholic Church at least in part to insure a hierarchy of virtues culminating in obedience to the church. In Germany, and in Protestantism more generally (as in the hymn, “Onward Christian Soldier”), the notion became fused with the ideal of service to God as interpreted by the individual. In the tradition debate with respect to the Bundeswehr it is referenced as part of the “knightly tradition” of the German officer class as evidenced in the actions of the men of the Twentieth of July. Of course it leaves out a discussion of just how ineffective this tradition proved to be as a source of inspiration within the military during the Third Reich—that is, just how few ordinary soldiers of whatever rank did refuse, resist even when they witnessed or were ordered to participate in crimes against humanity.

Yet the context had changed—or rather, it was changing. Baudissin and the Bundeswehr reformers were, in many ways, in front of the larger society. No other group in German society has so systematically examined its own failure—in its previous incarnation as the Wehrmacht—as the new military. Nor has any other group in German society attempted to break with the past in quite so radical a manner. The winning slogan of Adenauer's CDU was “no experiments!” and most of the major social institutions reflect this attitude. The Bundeswehr reforms were not fully implemented until the 1970s, indicating a significant lag between what the reformers could imagine and what the Wehrmacht-trained officer corps of the new military could realize, particularly with pressure from the United States for rapid rearmament. Yet the gist of the reforms reflected an understanding of the implication of soldierly manhood in its previous heroic incarnation as a central problem for the military. The valorization and institutionalization of refusal reflected this understanding.

### **Development of Wehrdienstverweigerung**

In 1955–56 when the Bundeswehr was founded, German society as a whole remained deeply divided between those in favor of rearmament and those opposed, and public opinion on the matter fluctuated on monthly. When SPD parliamentarian Carlo Schmid proclaimed, in the immediate aftermath of the war, “Should this insanity of war break out again somewhere, and if fate should have it that our land becomes a battlefield, then we shall simply perish knowing at least that we neither committed the crime nor encouraged it”

(Schmid 1979, 490), he spoke for many war-weary Germans. In March 1950, one poll reported 52 percent of all Germans against rearmament, even in the context of a European Army, and only 33 percent in favor. By July 1954 those numbers had nearly reversed with 43 percent in favor and only 34 percent against, even if it meant building up an independent national force. The numbers, however, continued to fluctuate. The percentage of the population who considered it a good thing that a new German army was being built dropped from 42 percent in January 1956 to 31 percent in June 1956, as the new military was formed (Noelle-Neumann 1967, 436–438).

With respect to the question of conscription, those generally in favor of it—once it became clear that Germany would rearm—rose from only 30 percent in March 1950 to 51 percent in March 1956, presumably in response to the dispersion of the idea of citizen soldiers promoted by the reformers (Noelle-Neumann 1967, 443). And, in spite of the constitutionally guaranteed right to refuse to do military service, in March 1955 only about half of the population (48 percent) thought that draftees should be allowed to refuse to serve and over a third of the population thought they should not be allowed to refuse (35 percent) with the remainder undecided (Noelle-Neumann 1967, 449).

Even with public opinion divided on rearmament and conscientious objection, there had clearly been a historically significant shift. Conscientious objectors during the First World War were routinely declared to be mentally incompetent or sentenced to prison terms. During the Third Reich, when

conscription was reinstated, those who refused were subject to imprisonment, or, after 1938, the death penalty (Kulhmann and Lippert 1993, 98–99).

The numbers indicate that, for many Germans, identification with the military tradition remained strong in the early years of the Federal Republic. However, the constitutional guarantee of a right to refuse military service and the orientation of prominent Bundeswehr reformers towards a more humane organization of the military manpower was indicative of a shift. It was, however, a shift that did not happen overnight. Again, taking the case of conscientious objectors as a social indicator of shifting attitudes toward the military and appropriate masculinity, a clear pattern emerges wherein both the absolute and relative number of those refusing to serve increases over time. When the draft was reintroduced in the mid-1950s objectors were a tiny minority, constituting only 2,447 individuals between 1956 and 1958, compared to tens of thousands of draftees. Nor did the number or percentage of Verweigerer change very much until the mid-1960s, when the number of objectors climbed nearly every year until it reached a level of over 70,000 a year in the late 1980s and then jumped to over 150,000 per year in 1991, after the end of the Cold War and with the beginnings of a push for the use of German troops outside of Germany.<sup>10</sup> In the 1990s the number of applications filed continued at a high level, with 135,000 in 1995, 152,381 in 1998 and 155,929 in 1999. In 2000 the number dropped to 87,203, coincident with the reduction of the total number of draftees required for the Bundeswehr and the

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<sup>10</sup> These statistics are from the Presse- und Informationsamt der Bundesregierung from January 1992 (Bredow 1992, 297).

decision of many potential Verweigerer to wait to see if they were mustered at all before filing a conscientious objector petition that would obligate them to Zivildienst.<sup>11</sup>

The growing number of conscientious objectors, beginning in the mid-1960s, reflects a shift in the societal view of the military. The student movement of the 1960s, as it began to confront the older generation about the German past, also objected to military service in the present. It is important to understand, however, that the ground for such a shift had been laid in the Basic Law of the Federal Republic, the ideals of the Bundeswehr reformers, and, perhaps most of all, in the integration of Germany into an international system of defense following the post-World War II occupation. The Cold War provided a context of refusal in which the German military was insulated from actual conflict by the doctrine of mutually assured destruction and the massive presence of American and other foreign troops on German soil. In this context a system of conscription and refusal had the social space to grow up without having to meet the demands for either war or international peacekeeping.

Though such language always tends to obscure, it is not unfair to say that between the founding of the Bundeswehr in 1955–56 and the end of the Cold War in 1989–90, Germany was structurally insulated from the demands of the war system. Under such circumstances the main obstacle to

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<sup>11</sup> Statistics from Bundesamt für den Zivildienst available at <http://www.zivildienst.de/> under Kriegsdeinstverweigerung, Daten und Fakten, in a table titled "Anerkennungsverfahren des Bundesamtes (Anträge und Entscheidungen)" and dated June 30, 2000. Note that statistics from the Bundesamt für den Zivildienst records applications for conscientious objector status since 1984 when responsibility for determinations was transferred there. The previous statistics from the Presse- und Informationsamt der Bundesregierung are compiled from unstated sources and differ slightly, though they do not impact the general trend.

Wehrdienstverweigerung was the damage such an act would cause to an objector's self-image and in some cases to his career prospects.<sup>12</sup> Even if the old-style military manliness was no longer needed, or even wanted, by the military itself, social expectations took time and political agitation to reflect this change. As Kuhlmann and Lippert, two researchers associated with the Sozialwissenschaftlichen Institut der Bundeswehr who have studied the phenomena put it: "Conscientious objection in Germany was considered, for a long time, to be an aberrant (*abweichend*) behavior. This was particularly true of those over 50 with previous military experience who took every chance to see objectors as draft dodgers ('*Drückebergers*')" (Kuhlmann and Lippert 1991b, 14; see also Bredow 1992, 294).

The word *abweichend*, usually translated as deviant or aberrant, is an interesting characterization, offering a clue to the sort of "deviance" in question. The root *weich* means soft (or weak) and is a typical German cut at someone's masculinity, as in *Weicheier* (soft eggs) with the understanding that the euphemism for testes in German—balls, nuts, stones in English—is eggs. A *Weicheier* is a wimpy man, lacking in physical courage, will power and personal drive, an *un*-masculine man. He is a fragile man, easily devastated by opposition.

Abweichend, in the case of Wehrdienstverweigerung, means deviation

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<sup>12</sup> Older informants report fear of discrimination from employers if they refused to do their Wehrdienst. Younger informants no longer considered such matters and recent surveys of business report, predictably, that industries close to the military—arms manufacturers and heavy industry for example—prefer employees who did military service, whereas the health and human services industries prefer those who did Zivildienst.

from one's duty to the Fatherland, community and family. It is also, fundamentally, gender deviance. Gerhard Scharnhorst, one of the early nineteenth century Prussian reformers, stated that every citizen, meaning, of course, every male citizen, is “a born defender of his state” (Kuhlmann and Lippert 1991a, 21). A man who refuses to defend himself, his family, and his nation is not so much seen as “unnatural” but as “unmanly”—for unlike femininity, which is widely associated with the natural, true masculinity is regarded as a necessary artificiality, a willed construct created through the systematic training of mind and body.<sup>13</sup> The failed man is one who lacks the capacity and will to fight.

The institutionalisation of refusal in post-World War II Germany, however, opened up space in the West German culture for the acceptance of deviant masculinity. Neologisms like *Schlaffi* (literally “sleepy” or “drowsy” but sometimes “wimpy”) and *Softi* (softy) carry an ambivalence in contemporary German culture. Instead of failed masculinity, they indicate a new kind of maleness informed by sensitivity and an ability to talk about oneself and be emotionally open, the equivalent of the American “sensitive new-age guy” (“SNAG”).

Even with the shift towards the increased valuation of refusal and less militarist forms of masculinity, the term “Wehrdienstverweigerer” still makes its

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<sup>13</sup> Though Scharnhorst used the phrase “born defender” indicating a “natural” manhood this should be seen as a piece of rhetoric, like Jefferson’s felicitous phrase (actually from Franklin) about self-evident truths. The need to “make men” has been central to thinking about the military experience as in the idea that joining the army with “make a man out of ...” someone. I take up this discussion in Chapter 2, following the work of Gilmore (1990) and, in particular, Goldstein (2001).

appearance on a humorous website that lists more than a hundred “synonyms” for Weicheier.<sup>14</sup> Nonetheless the humour has become something less than vicious and the numbers tell their own story.

The percentage of the population holding a positive image of those who refuse military service, and more particularly those participating in the alternative civilian service, has steadily climbed, particularly since 1984 when the procedure for refusal was reformed. Previously objectors had to appear in person before a review board appointed by the Ministry of Defence. The board ruled on the sincerity of the applicant and the validity of his grounds. Obviously an appearance before such a board was an intimidating prospect. What is more, having the Defence Ministry review applications for conscientious objection, if not quite like setting the fox to guard the chickens, was a clear conflict of interest.

In 1984 decisions regarding Wehrdienstverweigerung were moved to the Office of Civilian Service (Bundesamt für den Zivildienst), which is housed in the Federal Ministry for Families, Senior Citizens, Women and Children. Simultaneously, the appearance before a review board was replaced with the submission of a written statement which is examined for completeness and legal grounds but not investigated as to its sincerity (Kuhlmann and Lippert 1991b, 5).

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<sup>14</sup> See <http://www.witzbank.de/weichei.htm> and note that the antonym, *Harteier* (hard eggs), also rates its own joke page (<http://www.witzbank.de/>) that includes such attributive gems as “Bank-ohne-Maske-Überfaller” (“Without-a-mask-bank-robber”), “E-mail-vom-Chef-ungelesen-Löscher” (“Guy who deletes E-mails from his boss without looking”), and “Minenfeld-ohne-Suchgerät-Räumer” (“Minefield-without-a-mine-detector-wanderer”).

In the wake of these institutional changes, both the number of objectors and the positive public perception thereof increased dramatically. Refusal, originally thought of by many as deviant and by virtually all as exceptional, something outside of the ordinary run of things, had by the late 1980s become ordinary, particularly amongst *Abiturienten*—university track high school students and graduates therefrom. Of course the very meaning of refusal changes in a cultural context where, in certain circumstances, it is not only accepted, but even expected.

“When I told my high school friends that I was joining the Bundeswehr,” one informant reported, “they were shocked. They asked me why I would do something so stupid and wanted to know if I had gone crazy.”

This was in 1982, two years before the reforms. The man in question, Hans-Georg Lutz, attended a *Gymnasium* (university preparatory high school) in the Ruhr region. Informants from similar backgrounds—the middle-class sons of professionals and university graduates—who elected not to refuse, or even more so, those like Hans-Georg who volunteered for service without being drafted, report similar reactions throughout the 1980s and 1990s. A common accusation—and a common complaint—is that military service in particular is a waste of time. Though civilian service is also seen as an unwanted life-interruption, it is considered to have some redeeming social value. Military service, contrariwise, is widely thought to be pointless and useless, especially in the post-1989 world where I heard the refrain, many times, “es gibt kein Feind” (“there is no enemy”). Also, to the extent that a

standing army is considered necessary, people both inside and outside the military increasingly consider draftees to be completely superfluous to the “real army”—a kind of anachronistic remnant of the Cold War. As one circa 1999–2000 draftee told me, “We are just there to drink beer and watch porno movies and if anything happens, we wait for the real soldiers to arrive.”

It is easy, however, to overdraw the extent to which refusal, at least in the form of Wehrdienstverweigerung, has become normal. Decisions on this matter continue to be class-constrained and conscientious objection has been ironically referred to as the “*Abiturientengrundrecht*” (“fundamental right of the college bound”) (Krölls 1980, 51). Dieter Kreutz, a man about the same age as the aforementioned Hans-Georg Lutz, came under intense pressure from friends and family, particularly his parents, when he announced that he was going to file an application for conscientious objection. After months of having his manhood impugned by friends and compared to those filthy (*dreckig*) conscientious objectors, he finally capitulated and agreed to be drafted, telling his mother: “Okay, if this is what you want, I’ll do this shit.” Unlike Hans-Georg, Dieter came from a working class background and was attending a vocationally-oriented high school (*Fachoberschule*) at the time his decision vis-à-vis Wehrdienst came due.

Verweigerung continues to be weighted toward the university bound, even since the 1984 reforms went into effect. By the mid-1980s, just a few years after Dieter felt so much pressure to serve in the military, the percentage of non-Abiturienten (Hauptschüler and Realschüler) who filed for conscientious

objectors status rose to over 57 percent of all petitions. In the same period the relative percentage of Abiturienten petitioners dropped to 39 percent—still a strong overrepresentation, given that Gymnasium students make up only 15 to 20 percent of the affected population, but nonetheless indicative of an increasing acceptance of Wehrdienstverweigerung across German society (Kuhlmann and Lippert 1991b).

By 1990 Wehrdienstverweigerung had become so common, and so normalized, that close to 99 percent of all applications were approved and about one half of all potential draftees were refusing (Kuhlmann and Lippert 1993, 100). A willingness to do Zivildienst has become the only real qualification for the pro forma acceptance of an application. By the late 1990s attitudes toward objection have become cavalier. According to several informants, standardized statements of conscience are circulated on the internet and routinely accepted by authorities.

One Verweigerer who did his Zivildienst in the late 1990s had just begun an internship at a major electronics firm in Berlin when I interviewed him and a colleague who had done his Wehrdienst at the same time. When asked if he felt there was any stigma attached to conscientious objection or doing Zivildienst—which had previously been associated with “women’s work”—he laughed. “You mean,” he asked, “was I afraid people would think I was one of these... Schlaffis?”

Yes, that’s exactly what I was interested in.

“No,” he answered, “it was no big deal.”

His colleague, who had done Wehrdienst, likewise reported that his decision was a pragmatic one—military service lasts three months less than civilian, he told me, and he wanted to hurry up and get on with his life.

The Verweigerer, a friendly young man who had done his Zivildienst as a counselor for a church-based youth group, enthusiastically offered to give me a copy of his *Begründung* (grounds), his personal statement of conscience submitted to the Bundesamt für den Zivildienst. I told him that I was very interested in seeing it and that he need have no fears about my failing to protect his confidentiality. He had no worries on these grounds and gave me permission to use it as I saw fit.

A few days later he sent it along to me and I have to admit that it was something of a disappointment. Less than 500 words in length, it is a far cry from an impassioned plea of carefully considered conscience. He states that “Armed conflict is, for me, unthinkable” but goes on to reference, in one improbable sentence, Martin Luther King, Jr., Gandhi, the Dalai Lama and Nelson Mandela. To me, at least, this hardly indicated a sturdy grounding in a pacifist worldview or even an orientation towards a self-willed refusal to engage in state-sponsored violence. Yet such a reading misses the point. The young man’s statement is a virtuoso demonstration of refusal by conformity, through a carefully worded statement pushing all of the correct bureaucratic buttons. In its institutionalization through Zivildienst, and in the changing social perception of what it means to be a man, refusal has become institutionalized.

## War, Death and Manhood

One of the spookiest places in Berlin is the Soviet War Memorial in Treptower Park. The memorial stands in what used to be the heart of East Berlin and, as far as I know, is unique in that it is a major war monument that stands on foreign soil. Its presence reflects the “special relationship” between the former German Democratic Republic and the former Soviet Union. The monument itself depicts a gargantuan Russian soldier—looking suspiciously like a Teutonic knight in cape and medieval arms—carrying a child in his arms and stamping on a shattered swastika (see figure I.1). You approach the

Figure I.1 – Soviet War Memorial



monument through a garden and it is surrounded by dozens of sub-

monuments. The inscription over the triumphal arch-entry way proclaims that the purpose of the memorial is so that the heroic sacrifice of Soviet soldiers in the fight against fascism will never be forgotten.

In many ways the memorial is akin to the tombs erected to Unknown Soldiers that Benedict Anderson talks about in *Imagined Communities*. Anderson references the peculiarly “national,” and therefore “modern,” character of such tombs. He takes such monuments as paradigmatic of a certain aspect of nationhood—its peculiar givenness. “Void as these tombs are of identifiable mortal remains or immortal souls,” he writes, “they are nonetheless saturated with ghostly *national* imaginings,” adding the parenthetical comment: “This is why so many different nations have such tombs without feeling any need to specify the nationality of their absent occupants. What else would they be *but* Germans, Americans, Argentinians...?” (Anderson 1983, 16).

While Anderson points to the paradigmatic and abstract—some unspecified tombs of The Unknown Soldier—I find that the eccentric and particular can be more instructive. The Soviet War Memorial is anything but an ideal exemplar of Anderson’s point. Though it commemorates unspecified war dead, it is also a monument erected by an imperial state upon the soil of a conquered, satellite state, neither of which could claim “national” status and both of which have ceased to exist. Built atop a grass-covered mound constructed of the rubble of Hitler’s Reich Chancellery, it can hardly be interpreted as a transparent symbol of German national sacrifice and

continuity. Yet still it stands, an anomalous (at least in the nationalist logic of the sort of cenotaphs Anderson refers to) reminder of a bitter history, on the territory of a now sovereign united Germany.

I spent a good bit of time at the memorial during my stay in Berlin. In the time before the Wall came down, they took East German school children to the monument, to teach them about the “unbreakable friendship of the people of the GDR and the USSR.”<sup>15</sup> Now it is usually quiet, at least when the weather is cold and damp, as it so often is. It felt to me like a refuge from Berlin. But it was also something else—a towering symbol of heroic military masculinity, undaunted, seemingly even untouched, even after the unspeakable sacrifices of the Red Army. This meaning becomes all the more apparent if one takes the time to walk the entire grounds and discover the matching feminine counterpart to the Soviet hero. Instead of a sixty-foot tall figure of copper sheeting on a giant pedestal, she is life-sized, close to the ground, and is meant to depict the sorrow of Mother Russia for her lost children. She looks off to the giant in the distance, as if for rescue.

What can this mean? The question is worth considering in terms of Anderson’s argument that the affective appeal of the nation-form has to do with the idea of continuity. The nation, he contends, has in common with religion a concern with issues of mortality, immortality and the contingency of life. As I once heard one of his seminar students remark somewhat sardonically, the patented answer to one of Professor Anderson’s sphinx-like

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<sup>15</sup> A buzz-phrase of the East German government.

questions was always: “Does it have something to do with the dead?” The national imagination, like religion, “concerns itself with the links between the dead and the yet unborn, the mystery of re-generation” (Anderson 1983, 18).

The Soviet War Memorial clearly has to do with the dead, with the idea of memory and immortality. The soldier-hero stands boldly on the ruins of Nazism, clutching a child to his breast whom he has rescued at a cost in lives and suffering probably unprecedented. The lives memorialized, however, are those of the Red Army. At least at first glance, this fits uncomfortably into a tale of a specifically national continuity. Likewise the rescued child, though doubtless representing the future, is also ambivalent. Given the location of the moment both geographically and symbolically, it is difficult to see this future as other than a German future.

Can this interpretation possibly be correct? Does the monument to the heroism of the Red Army depict the rescue of the German future? The short answer is yes. The qualified answer is that the memorial is a sediment of a specific time and a specific place. It embodies not national continuity per se, but a *claim* to an identity—that of hero, but not so much a conquering hero, as a liberating one. Resting on German soil, at the center of what had been imperial Prussia, the monument is also a reminder. Germany under the Nazis had “sowed the wind” in the murderous brutality of its war in the East, now it would “reap the whirlwind” of Soviet occupation.

The distance, however, between a liberating Soviet hero and a conquering Nazi hero is not something that could easily be derived from the

monument itself—at least not without a good knowledge of history and notice of the shattered swastika. Visually the heroic Soviet could as easily be an idealized German soldier of the precise type so admired by the Nazis. This should not surprise us, for the image of a soldierly man—in many times and places the world round the very ideal of manhood—has always been, like the nation-form, available for imitation. Moreover, the qualities most useful in warfare—courage, discipline and strength—are very nearly universally regarded as the essential characteristics of manhood. The male figure looming over the gardens has these characteristics. In spades.